



**UTAH DEPARTMENT OF
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UTAH DEPARTMENT OF
AGRICULTURE AND FOOD

UTAH AGRICULTURE MEDIATION PROGRAM



IT IS IMPORTANT FOR
FARMERS, RANCHERS
AND THE AGRICULTURE
COMMUNITY TO
UNDERSTAND WHAT
MEDIATION IS AND HOW
IT IS BEING IMPLEMENTED
IN UTAH.



PURPOSE:

The Utah Agricultural Mediation Program (UAMP) mediates agricultural disputes between farmers and ranchers and USDA throughout the State of Utah. The program is administered by the Utah Department of Agriculture and Food and has been certified by the U.S. Department of Agriculture.



Benefits of Mediation

- Mediation provides a confidential forum to discuss complex issues.
- Mediators are neutral – they do not make decisions – they help the parties find solutions.
- Mediation builds strong working relationships with producers, their lenders and government agencies they work with.
- Mediation supports stability and diversity in rural economies.

Key Components and Issues

- **Neutrality.** It is critical that mediation programs are neutral in practice as well as in perception. Producers must have confidence that the program settles disputes in a fair manner.
- **Confidentiality.** Confidentiality is vital to the integrity and success of the mediation process. Without its absolute guarantee, participants may be apprehensive, or unwilling, to discuss personal financial and emotional matters.

Background

- In 1988 Congress authorized USDA to help develop and participate in Certified State Farm Mediation Programs under the USDA Farm Loan Mediation Program, part of the Agricultural Credit Act of 1987.
- In 1992 Congress increased federal matching funds to 70 percent in support of state programs.
- In 1994 Congress expanded the program under the USDA Reorganization Act, authorizing USDA to offer mediation as an option as part of the informal appeals process with respect to adverse decisions on USDA farm program issues.
- Mediation programs assist agricultural producers, their creditors and various USDA agencies to address loan problems, USDA adverse decisions and other disputes. The programs do this in a confidential and non-adversarial setting outside the traditional legal process of foreclosure, bankruptcy, appeals and litigation.



The UAMP provides a voluntary alternative to litigation, arbitration, or formal appeals through the use of an impartial third party mediator. The mediator facilitates communication and assists the parties in resolving their disputes. Mediation allows disputing parties to discuss options in a controlled setting and provides all parties the opportunity to express their views and provide input toward the solution. The mediation process is an extension of the traditional negotiation process with the addition of a third party to assist in negotiations.